

ILLINOIS COUNTIES SOLID
WASTE MANAGEMENT ASSOCIATION
(ILCSWMA)

RECYCLING MEASUREMENTS
WORKING GROUP
FINAL REPORT

July, 1997

Updated April, 2003, by Illinois EPA

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RECYCLING MEASUREMENTS WORK GROUP FINAL REPORT

INTRODUCTION

The Illinois Counties Solid Waste Management Association (ILCSWMA) Recycling Measurements Working Group (Working Group) was established to address the inconsistencies and ambiguities encountered in the current recycling measurement reporting process for municipal waste. Unclear definitions and inconsistent interpretations have led to considerable variability in what Illinois counties have been counting as being recycled. This has resulted in a significant disparity of recycling rates from county to county, making them impossible to compare.

The Working Group is the result of a joint effort between ILCSWMA, the Illinois Environmental Protection Agency (IEPA) and the Illinois Department of Commerce and Community Affairs (DCCA), with participation being limited to representatives of these groups. Each ILCSWMA region, the IEPA, and DCCA was invited to provide a representative. The resulting Working Group included Mr. Mark Mehall, ILCSWMA Secretary, Group Leader; Mr. Scott Smith ILCSWMA Region 1 Representative; Mrs. Cyndie (Wilhelm) Phillippe, ILCSWMA Region 2 Representative; Ms. Kathi Davis, IEPA Representative; and Mr. Pat Bumpus, DCCA Representative.

This report provides the actions and conclusions of the Working Group, as well as relevant background information. Included are descriptions of the approach taken, the agreed upon interpretations, the agreed upon recycling rate methodology, and recommendations concerning derivation of the waste generation rate, uniformed reporting periods, and the appropriate State agency to handle recycling reporting.

APPROACH

Creation of a clear and consistent recycling reporting process, which follows the provisions of Illinois law, was established as the primary goal of the Working Group. The requirements for recycling set forth in the Solid Waste Planning and Recycling Act (SWPRA) served as the impetus for creation of the process. One provision of the SWPRA required that adopted municipal waste management plans include a recycling program designed to recycle 15% by weight of the municipal waste generated in each county within 3 years of plan implementation, and 25% by weight within 5 years, subject to the existence of a viable market for the recycled materials. The law only references recycling, not waste reduction or reuse, in the determination of a recycling rate. Responsibility for plan development, adoption, and implementation was placed on the 102 counties and the City of Chicago.

The entire recycling process was examined. This included not only interpretations involving municipal waste and recycling, and calculation of the recycling rate, but also the determination of the waste generation rate and the appropriate State agency to handle recycling reporting.

Four specific target areas were established by the Working Group which include:

1. Recommendation of consistent interpretations for what is and is not municipal solid waste and what does and does not constitute recycling of municipal waste;
2. Recommendation of recycling rate and waste generation rate methodologies that will provide consistency and uniformity;
3. Recommendation of a uniform reporting time period; and
4. Recommendation of the appropriate State agency to oversee the reporting process.

1. INTERPRETATION OF MUNICIPAL WASTE AND RECYCLING ELEMENTS

The established interpretations were achieved through a consensus of the members of the Working Group using provisions of Illinois law, input from the IEPA, and common experience. The interpretations clarify what municipal waste does include, what municipal waste does not include, what recycling does include, and what recycling does not include. Statutory definitions and non-statutory definitions for these interpretations are detailed in Attachment A.

A. Municipal waste does include:

- 1) Garbage: Waste derived from the handling and processing of food and produce;
- 2) General household waste: Non-hazardous residential waste originating in single and multiple family dwellings;
- 3) Commercial Waste: Non-hazardous municipal waste including garbage, grease, grease trappings and rendering byproducts originating from wholesale, retail, or service establishments such as restaurants, office buildings, stores, markets, theaters, hotels, motels, government offices, distribution centers and warehouses;
- 4) Institutional Waste: Non-hazardous municipal waste originating in facilities such as schools, colleges, universities, hospitals, correctional facilities, and research institutions;
- 5) Industrial Lunchroom or Office Waste: Non-industrial municipal waste produced in industrial lunchrooms, cafeterias or food serving functions, or non-industrial municipal waste produced at industrial offices;
- 6) Industrial Packaging Waste: Wastes that are generated as a result of daily operations, but are not produced or manufactured at the industry. This would include such items as cardboard, plastic shrink-wrap, pallets, etc.;

- 7) Landscape Waste, as defined in Section 3.20 of the Environmental Protection Act (Act): All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees;
- 8) Construction or Demolition Debris: Mixed non-hazardous materials, such as broken concrete, stone, rock, bricks, structural wood, gypsum or other building or construction debris resulting from construction or demolition activities. (Clean construction or demolition waste is not considered to be a municipal waste since it is source separated on-site and not intended to be discarded.);
- 9) Abandoned or discarded household or commercial appliances, including white goods as defined in 415 ILCS 5/22.28: All discarded refrigerators, ranges, water heaters, freezers, air conditioners, humidifiers, and other similar domestic and commercial appliances, or white good components as defined in Section 22.28 of the Act (any chlorofluorocarbon refrigerant gas, any electrical switch containing mercury, and any device that contains or may contain PCBs in a closed system, such as a dielectric fluid for a capacitor, ballast or other components);
- 10) All other abandoned or discarded household or commercial appliances: Such as microwaves, coffee makers, blenders, vacuum cleaners, etc.
- 11) Non-hazardous waste parts from motor vehicles normally removed as a part of regular maintenance: Such as batteries, tires, electrical components, body panels, used material, mechanical components (excluding complete engines, transmissions, chassis and axles) which are not intended to be remanufactured;
- 12) Wastes collected at a household hazardous waste collection: Such as paint, used motor oil, pesticides, solvents, and pool chemicals;
- 13) Wastes collected at other waste component collections: Such as tires, telephone books, or electronics;
- 14) Municipal wastes that are generated, discarded, and discarded for recycling: Such as paper, plastic, glass, aluminum and steel; and
- 15) Municipal wastes that are generated and discarded for processing: Incineration and composting and/or for final disposal (landfilling).

B. Municipal waste does not include:

- 1) Special waste as defined in Section 3.45 of the Act: Which includes: a) industrial process waste (such as spent pickling liquors, cutting oils, chemical catalysts, distillation bottoms, etching acids, equipment cleanings, paint sludges, incineration ashes, core sands, metallic dust sweepings, asbestos dust, and off-specification, contaminated or recalled wholesale or retail products); b) pollution control waste (such as water and wastewater treatment plant sludge, baghouse dusts, landfill wastes, scrubber sludges and chemical spill cleanings); c) potentially infectious medical waste (such as cultures and stocks, human pathological waste, human blood and blood products, used sharps, etc.); and d) hazardous waste.
- 2) Hazardous waste as defined in Section 3.15 of the Act: A waste, or combination of wastes, which because of its quantity, concentration or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulations;
- 3) Automotive wastes such as liquid used oil generated from service stations and oil change shops;
- 4) Earth materials moved or removed during demolition or construction: Such as dirt, rock and grass materials;
- 5) Clean construction or demolition waste: Such as broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement and other road building materials, or uncontaminated dirt or sand generated from construction or demolition activities;
- 6) Scrap metal, plastic, wood or other materials from pre-consumer industrial or commercial operations;
- 7) Any industrial waste that is not generated from an industrial lunchroom or an industrial office;
- 8) Abandoned, scrapped or discarded motor vehicles or farm machinery;
- 9) Clothing or other donated commodities given to charitable organizations;

- 10) Food that is donated or contributed for human consumption;
- 11) Agricultural wastes as defined in 35 Ill. Adm. Code 237.101: Such as any refuse, except garbage or dead animals, generated on a farm or ranch by crop and livestock production practices including such items as bags, cartons, dry bedding, structural materials, farm machinery and crop residues, but excluding landscape wastes;
- 12) Sludge generated from treating water or sewage at publicly or privately owned treatment facilities; and
- 13) Wastes that have not been discarded or collected for disposal: Such as grass clippings, which are left on the lawn.

C. Recycling does include:

- 1) Reusing or reclaiming material defined as municipal waste: Such as aluminum, batteries, commingled recyclables, construction and demolition debris that is not clean, glass, landscape waste, metals, paper, plastics, toner cartridges, and tires that have been discarded, collected, separated or processed and returned to the economic mainstream in the form of raw materials or products;
- 2) Textiles: Such as fabrics that have not been donated and have instead been discarded, collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;
- 3) Waste materials that have been collected, separated, processed and/or composted: Such as landscape waste, wood waste, food waste, etc., and which have been returned to the economic mainstream in the form of raw materials or products such as fertilizer, soil amendments, or mulch;
- 4) Applying landscape waste or other municipal waste to agricultural land at agronomic rates (≥ 20 tons/acre): such as grass clippings, leaves, tree limbs, gypsum or food wastes;
- 5) Shredded wastes utilized in the form of raw materials and products: Such as newspapers, tires, and wood pallets used as fertilizer, soil amendment, mulch, playground surface materials, animal bedding, or insulation materials;
- 6) Non-clean construction or demolition debris, which is processed (washed, screened, etc.) and reused for building construction purposes or as road surface material;

- 7) Food, paper or organic wastes used for commercial feed purposes: Such as mink farms, swine operations, or fish production;
- 8) Rendering facility byproducts that have been processed and returned to the economic mainstream in the form of raw materials and products;
- 9) Restaurant or fast food grease and grease trappings that have been processed and returned to the economic mainstream in the form of raw materials or products; and
- 10) Municipal waste processed for metal recovery: Such as white goods, computers, and other appliances.

D. Recycling does not include: (Note that recycling is one aspect of waste diversion, as is source reduction and reuse. However, source reduction and reuse practices cannot be included in the calculation of the recycling rate.)

- 1) Incineration for volume reduction, including the use of burn barrels;
- 2) Incineration of municipal waste, paint, oil, etc., for fuel-blending and energy recovery;
- 3) Refuse and tires that are processed and used for fuels;
- 4) Reusing or reclaiming municipal waste material for the same or another use when that waste component has not been discarded: Such as pallets;
- 5) Waste reduced through source reduction efforts: Such as lawn clippings left on the lawn;
- 6) Used whole tires, or retreaded/remanufactured tires, which are sold or reused;
- 7) Other automotive/vehicle parts, which have been rebuilt or salvaged: Such as alternators, engines, transmissions, carburetors, etc.;
- 8) On-site industrial recycling: Such as the pre-consumer reuse of process-generated trimmings; and
- 9) Clean construction or demolition wastes: Such as broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, and road building materials or uncontaminated dirt or sand generated from construction or demolition activities.

2A. CALCULATION OF THE RECYCLING RATE

The Working Group agreed that the current methodology employed by the IEPA to determine the recycling rate is appropriate and should be continued. The rate is derived by dividing the total amount of municipal waste that was generated by the amount of municipal waste that was recycled to produce the percentage of waste recycled. Both numbers should be for the same time period.

$$\text{Percentage of municipal waste recycled} = \frac{\text{Recycled Municipal Waste}}{\text{Total Municipal Waste}} \times 100$$

The total municipal waste generated must include the recycled municipal waste as well as the non-recycled municipal waste. It should also include any waste that may eventually be discarded, collected, or disposed. Thus, wastes generated may include wastes that are:

- Improperly disposed, littered, or illegally dumped;
- Transported outside the area;
- Stored; and
- Disposed of on-site

It is important to remember when calculating the weight of recycled material that only the portion of material collected for recycling that is actually recycled can be included. For example, not all waste paint that is collected for recycling is recycled; it may end up being fuel-blended and burned in an industrial boiler or cement kiln (incineration).

2B. WASTE GENERATION RATE METHODOLOGY

The waste generation rate is the basis for the calculation of the total amount of municipal waste generated. Thus, current and correct waste generation rates are essential to ensure the legitimacy of the recycling rate. However, most counties employ waste generation rate derived from their original solid waste management plans. These rates were calculated from waste sorts and other methods conducted up to ten years ago or more. This time lapse as well as the various and varied methods used to originally calculate the rates is a cause of serious concern. Since the waste generation rates are probably not comparable from county to county, even with a consistent recycling reporting process, the resulting recycling rates will not be comparable.

The Working Group feels this an important issue, which deserves its own in-depth study. It is recommended that ILCSWMA establish a separate working group to examine this issue.

3. UNIFORM REPORTING TIME PERIOD

In the past, the reporting period for the recycling rate has varied. Currently, the IEPA utilizes the calendar year (January 1 – December 31) as the reporting time frame for its report, “Available Disposal Capacity for Solid Waste in Illinois” (now entitled

“Nonhazardous Solid Waste Management and Landfill Capacity in Illinois.”) The county recycling data is published in this report.

It is recommended that the calendar year be established as the permanent reporting time frame for recycling rates. The calendar year is a widely utilized reporting time frame that allows for maximum consistency.

4. APPROPRIATE REPORTING AGENCY

The SWPRA does not specifically designate a State agency to coordinate recycling reporting. In the past, various State agencies have conducted recycling measurement efforts. Currently, the IEPA is handling this function as part of its solid waste management section (now, Waste Reduction and Compliance Section).

The Working Group recommends that the IEPA be designated as the specific agency to coordinate recycling measurements. The SWPRA does establish the IEPA as the entity responsible for solid waste management planning activities. Coordinating recycling measurement reporting is entirely consistent with this function.

The Working Group also recommends that the IEPA work cooperatively with any other State agency in need of recycling measurement information.

CONCLUSION

The ILCSWMA Recycling Measurements Working Group worked to create a more understandable and useable recycling measurements process. The Working Group has attempted to eliminate many of the ambiguities which have caused considerable problems in the past, and to clarify other aspects of the process.

The recycling measurement process is a perpetual effort. In order for it to continue to be effective, it will need refinement periodically to adapt to changing times. It is recommended the process be re-evaluated by ILCSWMA, the IEPA, DCCA and other appropriate groups on a periodic basis.

ATTACHMENT A

DEFINITIONS

STATUTORY DEFINITIONS

Agricultural Wastes: Any refuse, except garbage or dead animals, generated on a farm or ranch by crop and livestock production practices including such items as bags, carbons, dry bedding, structural materials and crop residues but excluding landscape wastes. (35 Ill. Adm. Code 237.101.)

Clean Construction or Demolition Debris: Broken concrete without protruding metal bars, bricks, rock, stone reclaimed asphalt pavement or uncontaminated dirt or sand generated from construction or demolition activities. (Sec. 3.78 of Ill. Env. Prot. Act.)

Garbage: Waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce. (Sec. 3.11 of Ill. Env. Prot. Act.)

Hazardous Waste: A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulation. (Sec. 3.15 of Ill. Env. Prot. Act.)

Industrial Process Waste: Any liquid, solid, semi-solid, or gaseous waste generated as a direct or indirect result of the manufacture of a product or the performance of a service. Any such waste that would pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means is an industrial process waste. "Industrial Process Waste" includes but is not limited to spent pickling liquors, cutting oils, chemical catalysts, distillation bottoms, etching acids, equipment cleanings, paint sludges, incinerator ashes (including but not limited to ash resulting from the incineration of potentially infectious medical waste), core sands, metallic dust sweepings, asbestos dust, and off-specification, contaminated or recalled wholesale or retail products. Specifically excluded are uncontaminated packaging materials, uncontaminated machinery components, general household waste, landscape waste and construction or demolition debris. (Sec. 3.17 of Ill. Env. Prot. Act.)

Landscape Waste: All accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees. (Sec. 3.20 of Ill. Env. Prot. Act.)

Municipal Waste: Garbage, general household and commercial waste, industrial lunchroom or office waste, landscape waste, and construction and demolition debris. (Sec. 15.3 of the SWPRA.)

Pollution Control Waste: Any liquid, solid, semi-solid or gaseous waste generated as a direct or indirect result of the removal of contaminants from the air, water or land, and which pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means.

“Pollution Control Waste” includes but is not limited to water and wastewater treatment plant sludge; baghouse dusts, landfill waste, scrubber sludge and chemical spill cleanings. (Sec. 3.27 of Ill. Env. Prot. Act.)

Potentially Infectious Medical Waste:

- A. The following types of waste generated in connection with the diagnosis, treatment (i.e., provision of medical services), or immunization of human beings or animals; research pertaining to the provision of medical services; or the production or testing of biologicals:
1. Cultures and stocks. This waste shall include but not be limited to cultures and stocks of agents infectious to humans, and associated biologicals; cultures from medical or pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live or attenuated vaccines; or culture dishes and devices used to transfer, inoculate, or mix cultures.
 2. Human pathological wastes. This waste shall include tissue, organs, and body parts (except teeth and the contiguous structures of bone and gum); body fluids that are removed during surgery, autopsy, or other medical procedures; or specimens of body fluids and their containers.
 3. Human blood and blood products. This waste shall include discarded waste human blood, blood components (e.g., serum and plasma), or saturated material containing free flowing blood or blood components.
 4. Used sharps. This waste shall include but not be limited to discarded sharps used in animal or human patient care, medical research, or clinical or pharmaceutical laboratories; hypodermic, intravenous, or other medical needles; hypodermic or intravenous syringes; Pasteur pipettes; scalpel blades; or blood vials. This waste shall also include but not be limited to other types of broken or unbroken glass (including slides and cover slips) in contact with infectious agents.
 5. Animal waste. Animal waste means discarded materials, including carcasses, body parts, body fluids, blood, or bedding originating from animals inoculated during research, production of biologicals, or pharmaceutical testing with agents infectious to humans.

6. Isolation waste. This waste shall include discarded waste materials contaminated with blood, excretions, exudates, and secretions from humans that are isolated to protect other from highly communicable diseases. “Highly communicable diseases” means those diseases identified by the Board in rules adopted under subsection (e) of Section 56.2 of this Act.
7. Unused sharps. This waste shall include but not be limited to the following unused, discarded sharps: hypodermic, intravenous, or other needles; hypodermic or intravenous syringes; or scalpel blades.

B. Potentially infectious medical waste does not include:

1. Waste generated as general household waste;
2. Waste (except for sharps) for which the infectious potential has been eliminated by treatment; or
3. Sharps that meet both of the following conditions:
 - a. the infectious potential has been eliminated from the sharps by treatment; and
 - b. the sharps are rendered unrecognizable by treatment. (Sec. 3.84 of Ill. Env. Prot. Act.)

Recycling, Reclamation or Reuse: A method, technique, or process designed to remove any contaminant from waste so as to render such waste reusable, or any process by which materials that would otherwise be disposed of or discarded are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products. (Sec. 3.3 of Ill. Env. Prot. Act.)

Recycling Center: A site or facility that accepts only segregated, nonhazardous, nonspecial, homogenous, nonputrescible materials, such as dry paper, glass, cans or plastics, for subsequent use in the secondary materials market. (Sec. 3.81 of Ill. Env. Prot. Act.)

Sludge: Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effects. (Sec. 3.44 of Ill. Env. Prot. Act.)

Special Waste: Any industrial process waste, pollution control waste or hazardous waste, except as may be determined pursuant to Section 22.9 of this Act. “Special Waste” also means any potentially infectious medical waste. (Sec. 3.45 of Ill. Env. Prot. Act.)

Transfer Station: A site or facility that accepts waste for temporary storage or consolidation and further transfer to a waste disposal, treatment or storage facility. "Transfer station" includes a site where waste is transferred from

1. A rail carrier to a motor vehicle or water carrier;
2. A water carrier to a rail carrier or motor vehicle;
3. A motor vehicle to a rail carrier, water carrier or motor vehicle;
4. A rail carrier to a rail carrier, if the waste is removed from a rail car; or
5. A water carrier to a water carrier, if the waste is removed from a vessel.

"Transfer Station" does not include: (i) a site where waste is not removed from the transfer container, or (ii) a site that accepts or receives open top units containing only clean construction and demolition debris, or (iii) a site that stores waste on a refuse motor vehicle or in the vehicle's detachable refuse receptacle for no more than 24 hours, excluding Saturdays, Sundays, and holidays, but only if the detachable refuse receptacle is completely covered or enclosed and is stored on the same site as the refuse motor vehicle that transported the receptacle to the site.

Nothing in this Section shall be construed to be less stringent than or inconsistent with the provisions of the federal Resource Conservation and Recovery Act of 1976 (P.L. 94-480) or regulations adopted under it. (Sec. 3.83 of Ill. Env. Prot. Act.)

White Goods:

- A. Beginning July 1, 1994, no person shall knowingly offer for collection or collect white goods for the purpose of disposal by landfilling unless the white good components have been removed.
- B. Beginning July 1, 1994, no owner or operator of a landfill shall accept any white goods for final disposal, except that white goods may be accepted if:
 1. the landfill participates in the Industrial Materials Exchange Service by communicating the availability of white goods;
 2. prior to final disposal, any white good components have been removed from the white goods; and
 3. if white good components are removed from the white goods at the landfill, a site operating plan satisfying this Act has been approved under the site operating permit and the conditions of such operating plan are met.
- C. For the purposes of this Section:

1. “White goods” shall include all discarded refrigerators, ranges, water heaters, freezers, air conditioner, humidifiers and other similar domestic and commercial large appliances.
 2. “White good components” shall include:
 - i. any chlorofluorocarbon refrigerant gas;
 - ii. any electrical switch containing mercury; and
 - iii. any device that contains or may contain PCBs in a closed system, such as a dielectric fluid for a capacitor, ballast or other component.
- D. The Agency is authorized to provide financial assistance to units of local government from the Solid Waste Management Fund to plan and implement programs to collect, transport and manage white goods. Units of local government may apply jointly for financial assistance under this Section.
- Applications for such financial assistance shall be submitted to the Agency and must provide a description of:
- A. The area to be served by the program;
 - B. The white goods intended to be included in the program;
 - C. The methods intended to be used for collecting and receiving materials;
 - D. The property, buildings, equipment and personnel included in the program;
 - E. The public education systems to be used as part of the program;
 - F. The safety and security systems that will be used;
 - G. The intended processing methods for each white goods type;
 - H. The intended destination for final material handling location; and
 - I. Any staging sites used to handle collected materials, the activities to be performed at such sites and the procedures for assuring removal of collected materials from such sites.

The application may be amended to reflect changes in operating procedures, destinations for collected materials, or other factors.

Financial assistance shall be awarded for a State fiscal year, and may be renewed, upon application, if the Agency approves the operation of the program.

- E. All materials collected or received under a program operating with financial assistance under this Section shall be recycled whenever possible. Treatment or disposal of collected materials are not eligible for financial assistance unless the applicant shows and the Agency approves which materials may be treated or disposed of under various conditions.

Any revenue from the sale of materials collected under such a program shall be retained by the unit of local government and may be used only for the same purposes as the financial assistance under this Section.

- F. The Agency is authorized to adopt rules necessary or appropriate to the administration of this Section.

- G. There is established a White Goods Task Force. The task force shall be composed of representatives of all of the following:

1. White goods retailers and manufacturers.
2. Local governments.
3. Affected businesses and utilities.
4. Businesses involved in the processing, hauling, and disposing of used white goods.
5. Environmental advocacy groups.

The Director of the Agency and the Director of the Department shall appoint the members of the task force, and they or their designees shall serve as co-chairs of the task force. The task force shall develop and propose desired statutory, regulatory, and programmatic changes necessary to effectively implement the provisions of this Section. The task force shall report its recommendations to the Governor and General Assembly by July 1, 1993. (Section 22.28 of the Illinois Environmental Protection Act)

NON-STATUTORY DEFINITIONS

Commercial Waste: As applied to municipal waste, means nonhazardous municipal waste originating from wholesale, retail, or service establishments such as office buildings, stores, markets, theaters, hotels, motels, government offices, distribution centers and warehouses.

Construction or Demolition Debris: As applied to municipal waste, means mixed non-hazardous materials, such as broken concrete, stone, rock, bricks, structural wood, gypsum, or other building or construction debris resulting from construction or demolition activities.

General Household Waste: As applied to municipal waste, means nonhazardous residential waste originating in single and multiple-family dwellings.

Industrial Lunchroom or Office Waste: Non-industrial municipal waste produced in industrial lunchrooms, cafeterias or food-serving functions, or non-industrial municipal waste produced at industrial offices. (Planners may choose to categorize industrial lunchroom or office waste as a component of commercial waste.)

Industrial Packaging Waste: Wastes that are generated as a result of daily operations, but are not produced or manufactured at the industry. This would include such items as cardboard, plastic shrink wrap, pallets, etc.

Institutional Waste: As applied to municipal waste, means non-industrial municipal waste originating in facilities such as schools, colleges, universities, hospitals, correctional facilities, and research institutions.

Waste Generation: As applied to municipal waste, means the weight or volume of materials and products after they are either discarded or enter the municipal waste stream before materials recovery, combustion, land filling or other disposal methods occur.

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ATTACHMENT B

DEFINITIONS

The following definitions are from the Illinois Environmental Protection Act as of 2002.

Sec. 3.160. "Clean construction or demolition debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities.

Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.

To the extent allowed by federal law, clean construction or demolition debris shall not be considered "waste" if it is (i) used as fill material below grade outside of a setback zone if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, or (ii) separated or processed and returned to the economic mainstream in the form of raw materials or products, if it is not speculatively accumulated and, if used as a fill material, it is used in accordance with item (i), or (iii) solely broken concrete without protruding metal bars used for erosion control, or (iv) generated from the construction or demolition of a building, road, or other structure and used to construct, on the site where the construction or demolition has taken place, an above-grade area shaped so as to blend into an extension of the surrounding topography or an above-grade manmade functional structure not to exceed 20 feet in height, provided that the area or structure shall be covered with sufficient soil materials to sustain vegetation or by a road or structure, and further provided that no such area or structure shall be constructed within a home rule municipality with a population over 500,000.

(Source: P.A. 91-909, eff. 7-7-00; 92-574, eff. 6-26-02.)

Sec. 3.200. Garbage. "Garbage" is waste resulting from the handling, processing, preparation, cooking, and consumption of food, and wastes from the handling, processing, storage, and sale of produce.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.220. Hazardous waste. "Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed, and which has been identified, by characteristics or listing, as hazardous pursuant to Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulations. Potentially infectious medical waste is not a hazardous waste, except for those potentially infectious medical wastes identified by characteristics or listing as

hazardous under Section 3001 of the Resource Conservation and Recovery Act of 1976, P.L. 94-580, or pursuant to Board regulations.
(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.235. Industrial process waste. "Industrial process waste" means any liquid, solid, semi-solid, or gaseous waste generated as a direct or indirect result of the manufacture of a product or the performance of a service. Any such waste which would pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means is an industrial process waste. "Industrial Process Waste" includes but is not limited to spent pickling liquors, cutting oils, chemical catalysts, distillation bottoms, etching acids, equipment cleanings, paint sludges, incinerator ashes (including but not limited to ash resulting from the incineration of potentially infectious medical waste), core sands, metallic dust sweepings, asbestos dust, and off-specification, contaminated or recalled wholesale or retail products. Specifically excluded are uncontaminated packaging materials, uncontaminated machinery components, general household waste, landscape waste and construction or demolition debris.
(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.270. Landscape waste. "Landscape waste" means all accumulations of grass or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, shrubbery, vines and trees.
(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.290. Municipal waste. "Municipal waste" means garbage, general household and commercial waste, industrial lunchroom or office waste, landscape waste, and construction or demolition debris.
(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.335. Pollution control waste. "Pollution control waste" means any liquid, solid, semi-solid or gaseous waste generated as a direct or indirect result of the removal of contaminants from the air, water or land, and which pose a present or potential threat to human health or to the environment or with inherent properties which make the disposal of such waste in a landfill difficult to manage by normal means.

"Pollution control waste" includes but is not limited to water and wastewater treatment plant sludges, baghouse dusts, landfill waste, scrubber sludges and chemical spill cleanings.
(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.360. Potentially infectious medical waste.

(a) "Potentially infectious medical waste" means the following types of waste generated in connection with the diagnosis, treatment (i.e., provision of medical services), or immunization of human beings or animals; research pertaining to the provision of medical services; or the production or testing of biologicals:

- (1) Cultures and stocks. This waste shall include but not be limited to cultures and stocks of agents infectious to humans, and associated biologicals; cultures from medical or

pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live or attenuated vaccines; or culture dishes and devices used to transfer, inoculate, or mix cultures.

(2) Human pathological wastes. This waste shall include tissue, organs, and body parts (except teeth and the contiguous structures of bone and gum); body fluids that are removed during surgery, autopsy, or other medical procedures; or specimens of body fluids and their containers.

(3) Human blood and blood products. This waste shall include discarded human blood, blood components (e.g., serum and plasma), or saturated material containing free flowing blood or blood components.

(4) Used sharps. This waste shall include but not be limited to discarded sharps used in animal or human patient care, medical research, or clinical or pharmaceutical laboratories; hypodermic, intravenous, or other medical needles; hypodermic or intravenous syringes; Pasteur pipettes; scalpel blades; or blood vials. This waste shall also include but not be limited to other types of broken or unbroken glass (including slides and cover slips) in contact with infectious agents.

(5) Animal waste. Animal waste means discarded materials, including carcasses, body parts, body fluids, blood, or bedding originating from animals inoculated during research, production of biologicals, or pharmaceutical testing with agents infectious to humans.

(6) Isolation waste. This waste shall include discarded materials contaminated with blood, excretions, exudates, and secretions from humans that are isolated to protect others from highly communicable diseases. "Highly communicable diseases" means those diseases identified by the Board in rules adopted under subsection (e) of Section 56.2 of this Act.

(7) Unused sharps. This waste shall include but not be limited to the following unused, discarded sharps: hypodermic, intravenous, or other needles; hypodermic or intravenous syringes; or scalpel blades.

(b) Potentially infectious medical waste does not include:

(1) waste generated as general household waste;

(2) waste (except for sharps) for which the infectious potential has been eliminated by treatment; or

(3) sharps that meet both of the following conditions:

(A) the infectious potential has been eliminated from the sharps by treatment; and

(B) the sharps are rendered unrecognizable by treatment.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.380. Recycling, reclamation or reuse. "Recycling, reclamation or reuse" means a method, technique, or process designed to remove any contaminant from waste so as to render such waste reusable, or any process by which materials that would otherwise be disposed of or discarded are collected, separated or processed and returned to the economic mainstream in the form of raw materials or products.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.375. Recycling center. "Recycling center" means a site or facility that accepts only segregated, nonhazardous, nonspecial, homogeneous, nonputrescible materials, such as dry paper, glass, cans or plastics, for subsequent use in the secondary materials market.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.465. Sludge. "Sludge" means any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effects.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.475. Special waste. "Special waste" means any of the following:

(a) potentially infectious medical waste;

(b) hazardous waste, as determined in conformance with RCRA hazardous waste determination requirements set forth in Section 722.111 of Title 35 of the Illinois Administrative Code, including a residue from burning or processing hazardous waste in a boiler or industrial furnace unless the residue has been tested in accordance with Section 726.212 of Title 35 of the Illinois Administrative Code and proven to be nonhazardous;

(c) industrial process waste or pollution control waste, except:

(1) any such waste certified by its generator, pursuant to Section 22.48 of this Act, not to be any of the following:

(A) a liquid, as determined using the paint filter test set forth in subdivision (3)(A) of subsection (m) of Section 811.107 of Title 35 of the Illinois Administrative Code;

(B) regulated asbestos-containing waste materials, as defined under the National Emission Standards for Hazardous Air Pollutants in 40 CFR Section 61.141;

(C) polychlorinated biphenyls (PCB's) regulated pursuant to 40 CFR Part 761;

(D) an industrial process waste or pollution control waste subject to the waste analysis and recordkeeping requirements of Section 728.107 of Title 35 of the Illinois Administrative Code under the land disposal restrictions of Part 728 of Title 35 of the Illinois Administrative Code; and

(E) a waste material generated by processing recyclable metals by shredding and required to be managed as a special waste under Section 22.29 of this Act;

(2) any empty portable device or container, including but not limited to a drum, in which a special waste has been stored, transported, treated, disposed of, or otherwise handled, provided that the generator has certified that the device or container is empty and does not contain a liquid, as determined pursuant to item (A) of subdivision (1) of this subsection. For purposes of this subdivision, "empty portable device or container" means a device or container in which removal of special waste, except for a residue that shall not exceed one inch in thickness, has been accomplished by a practice commonly employed to remove materials of that type.

An inner liner used to prevent contact between the special waste and the container shall be removed and managed as a special waste; or

(3) as may otherwise be determined under Section 22.9 of this Act.

"Special waste" does not mean fluorescent and high intensity discharge lamps as defined in subsection (a) of Section 22.23a of this Act, waste that is managed in accordance with the universal waste requirements set forth in Title 35 of the Illinois Administrative Code, Subtitle G, Chapter I, Subchapter c, Part 733, or waste that is subject to rules adopted pursuant to subsection (c)(2) of Section 22.23a of this Act.

(Source: P.A. 92-574, eff. 6-26-02.)

Sec. 3.500. Transfer station. "Transfer station" means a site or facility that accepts waste for temporary storage or consolidation and further transfer to a waste disposal, treatment or storage facility.

"Transfer station" includes a site where waste is transferred from

- (1) a rail carrier to a motor vehicle or water carrier;
- (2) a water carrier to a rail carrier or motor vehicle;
- (3) a motor vehicle to a rail carrier, water carrier or motor vehicle;
- (4) a rail carrier to a rail carrier, if the waste is removed from a rail car; or
- (5) a water carrier to a water carrier, if the waste is removed from a vessel.

"Transfer station" does not include

- (i) a site where waste is not removed from the transfer container, or
- (ii) a site that accepts or receives open top units containing only clean construction and demolition debris, or

(iii) a site that stores waste on a refuse motor vehicle or in the vehicle's detachable refuse receptacle for no more than 24 hours, excluding Saturdays, Sundays, and holidays, but only if the detachable refuse receptacle is completely covered or enclosed and is stored on the same site as the refuse motor vehicle that transported the receptacle to the site.

Nothing in this Section shall be construed to be less stringent than or inconsistent with the provisions of the federal Resource Conservation and Recovery Act of 1976 (P.L. 94-480) or regulations adopted under it.

(Source: P.A. 92-574, eff. 6-26-02.)